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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/990,981	12/15/1997	SHO MURAKOSHI	P7156-7043	1932

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EXAMINER	
KANG, PAUL H	

ART UNIT	PAPER NUMBER
2142	35

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	08/990,981	MURAKOSHI ET AL.	
	Examiner	Art Unit	
	Paul H Kang	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 November 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *57, 59, 63, 65-66, 68 and 72-78* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *57,59,63,65,66,68 and 72-78* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 December 1997* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

1. Claims 1-56, 58, 60-62, 64, 67 and 69-71 have been previously cancelled. Claims 57, 59, 63, 65-66, 68 and 72-78 are pending.

2. Claim 74 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The method step of claim 74, "wherein said address-information acquisition step acquires said address information when said information recording medium is set in an information acquisition apparatus," is also found in parent claim 68.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 57, 59, 63, 66, 68, 72, 73, 74 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toh et al., US Pat. No. 6,128,652 in view of Fan et al., US Pat. No. 6,498,775 B1.

5. As to claims 57, 66, 68 and 75, Toh teaches the invention substantially as claimed. Toh teaches an information acquisition apparatus, an information recording medium, and an information acquisition method, for communicating with at least one information server provided

with related information related to an information recording medium through a communication network, such as the internet, comprising:

reading means... for... reading of information stored in said... information recording medium;

address-information acquisition means for acquiring address information... said address information indicating an address position of a homepage provided in said information server for transmitting related information related to said information recording medium, and corresponding to said information recording medium (Toh, col. 1, line 14 – col. 2, line 27 and col. 8, line 36 – col. 9, line 18); and

related-information acquisition means for accessing said homepage through said Internet based on said address information acquired by said address-information acquisition means so that said related information related to said information recording medium can be acquired from said information server (Toh, col. 1, line 14 – col. 2, line 27 and col. 8, line 36 – col. 9, line 18).

However, although Toh teaches seamless and transparent connection to remote data sources for automatic updating without the user's awareness (see Toh, col. 1, lines 41-63), Toh does not explicitly teach that the information retrieval from the medium by the reading means and the address-information acquisition means is automatically initiated upon the information recording medium being set in said reading means.

In the analogous art of optical recording media, Fan teaches a system for retrieving prerecorded information stored on an optical storage disc upon insertion into the disc drive mechanism (See Fan, col. 15, lines 17-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the automatic retrieval method as taught by Fan into the data retrieval system of Toh for the purpose of enhancing seamless and transparent connection/updating to increase user-friendliness and efficiency.

6. As to claims 59 and 73, Toh-Fan teach display controls means for performing control to display said related information acquired by said related-information acquisition means (the data source is received at the user's multimedia computer for rendering; Toh, col. 8, line 66 – col. 9, line 18).

7. As to claims 63 and 72, Toh-Fan teach transmitting means for transmitting said information acquired by said reading means to a communication network (Toh, col. 8, line 36 – col. 9, line 18),

wherein said transmitting means transmits an identification information of said information recording medium acquired by said reading means into said information server (in Toh, a data object having URL <File://livecd/file1.bmp HYBRID> is transmitted to the server. This file is unique to the multimedia content stored on the CD-ROM and therefore identifies the CD-ROM; Toh, col. 1, line 14 – col. 2, line 27 and col. 8, line 36 – col. 9, line 18).

8. As to claims 74, Toh-Fan teach accessing address information when storage medium is set in a reading device (See Fan, col. 15, lines 17-67).

9. Claims 65, 76, 77 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toh et al., US Pat. No. 6,128,652 in view of Fan et al., US Pat. No. 6,498,775 B1, and further in view of Wehmeyer, US Pat. No. 6,031,795.

10. As to claims 65, 76, 77 and 78, Toh teaches the invention substantially as claimed. Toh teaches an information acquisition apparatus, an information recording medium, and an information acquisition method, for communicating with at least one information server provided with related information related to an information recording medium through a communication network, such as the internet, comprising:

reading means... for... reading of information stored in said... information recording medium;

address-information acquisition means for acquiring address information... said address information indicating an address position of a homepage provided in said information server for transmitting related information related to said information recording medium, and corresponding to said information recording medium (Toh, col. 1, line 14 – col. 2, line 27 and col. 8, line 36 – col. 9, line 18); and

related-information acquisition means for accessing said homepage through said Internet based on said address information acquired by said address-information acquisition means so that said related information related to said information recording medium can be acquired from said information server... (Toh, col. 1, line 14 – col. 2, line 27 and col. 8, line 36 – col. 9, line 18).

However, although Toh teaches seamless and transparent connection to remote data sources for automatic updating without the user's awareness (see Toh, col. 1, lines 41-63), Toh does not explicitly teach that the information retrieval from the medium by the reading means and the address-information acquisition means is automatically initiated upon the information recording medium being set in said reading means.

In the analogous art of optical recording media, Fan teaches a system for retrieving prerecorded information stored on an optical storage disc upon insertion into the disc drive mechanism (See Fan, col. 15, lines 17-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the automatic retrieval method as taught by Fan into the data retrieval system of Toh for the purpose of enhancing seamless and transparent connection/updating to increase user-friendliness and efficiency.

However, although the system of Toh-Fan deals with multimedia content, Toh-Fan does not explicitly teach the related information acquisition means wherein said information recording medium stores at least one music and said related information includes at least one information of a list of music title, a lyric, a singer, a homepage of the singer, a lyricist, a composer, a title of the information recording medium, a picture of a jacket of the information recording medium, and a producer of the information recording medium.

In the same field of endeavor, Wehmeyer teaches a method and apparatus for programming a jukebox with information related to content on media wherein the information updated is related music titles (Wehmeyer, col. 3, line 59 – col. 4, line 21).

11. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the acquisition of related music titles as taught by Wehmeyer, into the system of Toh-Fan for the purpose of increasing the types of multimedia content updated to include music titles.

12. Applicant's arguments with respect to claims 57, 59, 63, 65-66, 68 and 72-78 have been considered but are moot in view of the new ground(s) of rejection.

The Applicant argued in substance that the prior art of record does not teach the newly added features of the information acquisition apparatus and method automatically initiating reading of information stored thereon upon setting an information recording medium onto an information reading means. The new grounds of rejection teaches this feature.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell can be reached on (703) 305-9703. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Paul H Kang
Examiner
Art Unit 2142

January 27, 2003